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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

SPORTVISION, INC.,

Plaintiff,

vs.

SPORTSMEDIA TECHNOLOGY
CORPORATION,

Defendant.

AND RELATED COUNTERCLAIM

No. C-04-3115 JW

**STIPULATED [PROPOSED] THIRD
AMENDED CASE MANAGEMENT
SCHEDULING ORDER**

On July 26, 2006, the Court, pursuant to the Parties' Stipulation, entered a Second Amended Case Management Order setting forth the dates and/or deadlines for certain events in this action. Since then, Plaintiff served Final Infringement Contentions and Defendant served Final Invalidity Contentions. On September 11, 2006, the parties also exchanged Initial Expert Reports on issues for which each party has the burden of proof.

Sportvision has expressed concerns regarding SportsMedia's Final Invalidity Contentions and Expert Report (the Expert Report of Michael J. Potel, Ph.D., dated September 11, 2006). In particular, Sportvision has objected to SportsMedia's (1) assertion of "new" theories of invalidity not previously set forth in its Preliminary Invalidity Contentions; and (2) reliance on prior art that was recently disclosed. SportsMedia maintains that its Final Invalidity Contentions and Expert Report are entirely proper, conform to the requirements of Patent Local Rules and present no prejudice to Sportvision.

Nevertheless, the parties have met and conferred in good faith on the matter, and have agreed to resolve their disputes by providing an extension of time to prepare rebuttal expert reports, as set forth below. In exchange for the scheduling adjustment, Sportvision agrees that it will not at any time move to strike SportsMedia's Final Invalidity Contentions or Expert Report on the basis of the recently-disclosed prior art and invalidity theories set forth therein. Sportvision further agrees that it will not seek to preclude SportsMedia from relying on any of the theories or prior art cited and/or discussed within its Final Invalidity Contentions and Expert Report on the basis of the timing of the disclosure of such invalidity theories or prior art.

Accordingly, the parties to this action jointly submit this Stipulated [Proposed] Third Amended Case Management Scheduling Order. The parties respectfully request that the Court enter the following as the Case Management Scheduling Order in this matter:

Task/Action	Schedule (Proposed)
Final Infringement Contentions	August 17, 2006 (unchanged)
Final Invalidity Contentions	September 6, 2006 (unchanged)

1	Willfulness disclosures (if necessary)	September 6, 2006 (unchanged)
2	Fact discovery cut-off	October 16, 2006 (unchanged)
3	Expert witness reports for issues on which party has burden of proof	September 11, 2006 (unchanged)
4	Rebuttal expert reports	October 12, 2006 (moved from September 25, 2006)
5	Last Day to File Motions re Objections to Expert Witnesses	October 30, 2006 (moved from October 2, 2006)
6	Last Day for Hearing on Motions re Objections to Expert Witnesses	December 4, 2006 (moved from November 6, 2006)
7	Expert discovery cut-off	November 6, 2006 (moved from October 30, 2006)
8	Last Day to File Dispositive Motions	November 13, 2006 (moved from November 6, 2006)
9	Last Day for Hearing on Dispositive Motions	December 18, 2006 (moved from December 11, 2006)
10	Preliminary Pretrial Conference Statements	January 26, 2007 (moved from January 12, 2007)
11	Preliminary Pretrial Conference and Trial Setting Conference	February 5, 2007 (moved from January 22, 2007)

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20 Dated: September 14, 2006

REED SMITH LLP

21 /s/ Adaline J. Hilgard

22 Adaline J. Hilgard

23 Attorneys for Defendant and Counterclaimant
24 SportsMEDIA Technology Corporation
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1 Dated: September 14, 2006

BURNS & LEVINSON LLP

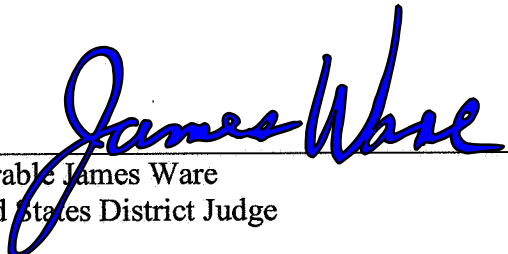
2
3 /s/ Laura Carroll

4 Laura L. Carroll

5 Attorneys for Plaintiff and Counterdefendant
6 Sportvision, Inc.

7 **IT IS SO ORDERED**

8 Dated: Sept. 18,
9 _____, 2006.


10 Honorable James Ware
11 United States District Judge

12 DOCSSFO-12452979.1-AHILGARD